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EXAMINER
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RUTTEN, JAMES D

ART UNIT	PAPER NUMBER
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2192

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11/21/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/655,326	<b>Applicant(s)</b> WALDREP, TROY S.	
	<b>Examiner</b> JAMES RUTTEN	<b>Art Unit</b> 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 7, 11, 13-21, 25, 26, 32, 34, 36, 37, 39 and 42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, 11, 13-21, 25, 26, 32, 34, 36, 37, 39, and 42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to Applicant's submission filed 8/26/08, responding to the 2/26/08 Office action which detailed the rejection of claims 1-4, 6, 7, 11, 13-21, 25, 26, 32, 34, 36, 37, 39, and 42. Claims 1, 6, 7, 16, 21, 25, and 36 have been amended. Claims 1-4, 6, 7, 11, 13-21, 25, 26, 32, 34, 36, 37, 39, and 42 remain pending in the application and have been fully considered by the examiner.

### ***Response to Amendments/Arguments***

2. Applicant's 8/26/08 amendment to claims 16 and 21 do not provide statutory subject matter since the claims are still directed to descriptive material per se. Therefore, the rejection under 35 U.S.C. § 101 is maintained. See the rejection below for further details.

3. Applicant's arguments filed 8/26/08 have been fully considered but they are not persuasive.

On page 9, Applicant points to the 8/26/08 declaration of Paul Dingman filed under 37 C.F.R. § 1.132 which essentially states that the prior art of record, Kelley, "does not teach extracting scripted content where the scripted content is loaded and executed." The declaration points to Kelley column 4 lines 1-9, column 6 lines 1-8, and column 7 lines 16-25, to support the assertion that JavaScript is used to build a custom Web page. The declaration supports Applicant's previous assertion that Kelley teaches using JavaScript to generate an output screen (see page 9 filed 12/28/07), and cites the same portions of Kelley used in the 12/28/07 filing. Likewise, the argument is not persuasive. As Applicant points out in the 12/28/07 filing, Kelley column 7, lines 16-25, discloses using JavaScript to "generate the output screen." Paragraph 6 of

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the Dingman declaration uses this same cited portion along with column 4 lines 1-9 and column 6 lines 1-8 to acknowledge that Kelly extracts JavaScript source code and places it in a custom web page. It should be noted that the target custom web page is then executed with the extracted scripted content which is required to be loaded and executed in order to be displayed.

The declaration does not address how this custom web page can be viewed without loading and executed the extracted scripted content. In order to generate an output screen which uses JavaScript, the JavaScript must be loaded and executed. As described in previously cited prior art "JavaScript: The Definitive Guide" by Flanagan ("Flanagan"), JavaScript is executable script that is embedded in web pages (see section 1.5). When encountered by a JavaScript compatible interpreter, which are usually found in web browsers such as Microsoft Internet Explorer, and Mozilla Firefox, the code is executed and the output screen corresponding to the JavaScript embedded web page is generated. Applicant acknowledges that Kelley discloses using JavaScript to "generate the output screen," and the only way to do that is to load and execute the code as explained by Flanagan.

The statements in paragraph 6 of the Dingman declaration fail to constructively differentiate the claims from the prior art of record Kelley. While it may be argued that the portions of Kelley cited by the declaration do not expressly disclose loading and execution of extracted scripted content, none of these portions disallow interpretation of other non-cited portions as disclosing scripted content that is loaded and executed (e.g. see at least column 9 lines 40-45 for a description of displaying the customized web page). The declaration does not explain how an output screen is generated without the loading and execution of the JavaScript code that Applicants admit is part of the customized web page. The plain language of the claim

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calls for "extracting scripted content" and "loading and executing the scripted content," which are both disclosed by Kelley. Neither the Applicant's arguments, nor the Dingman declaration addresses the fundamental objective of Kelley, which is to view Web content on a display screen. Neither the Applicant's arguments, nor the Dingman declaration explain how a user could view the content provided by the JavaScript code without having to load and execute the JavaScript code. Therefore, Applicant's argument is not persuasive.

Further arguments on pages 9 and 10 of Applicant's remarks are based upon arguments as addressed above, and are not persuasive for the same reasons.

### ***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the content that is only visible when loaded and executed (see lines 10-11 of claim 1, also see claims 16 and 25) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the

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renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 16-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 16-20 are directed to a "Software Development Kit (SDK)" comprising "coding directives wherein program instructions are executable by a processor." The program instructions are interpreted as being part of the SDK. Therefore, the SDK can be interpreted as being functional descriptive material. Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer. See, e.g., *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held

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nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a functional descriptive data structure or computer program, defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Claim 21 is rejected for the same reasons as those presented above in the rejection of claims 16-20.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 16 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,209,007 to Kelley et al. (hereinafter "Kelley").

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In regard to claim 16, Kelley discloses:

*A Software Development Kit (SDK)* See column 4 lines 58-65, e.g. “program or software...may be stored in...media.” Note that this corresponds with the description of an SDK on page 10 lines 5-7 of the originally filed specification.

*comprising computer readable coding directives wherein program instructions are executable by a processor with which to standardize content on a web page.* See column 6 lines 32-35:

The user is able to specify a complete Boolean search that will search all lines in the HTML source file and return those lines in a temporary file for examination by the user.

Boolean directives are utilizable by a developer to produce a file according to the standards specified by the directives.

*...wherein at least some of said content is scripted and not displayed, and said scripted content is executed and partitioned.* See Fig. 5, element 340, e.g. “Extract JavaScript Code.” As noted above, “coding directives” are inherently present in order for the user directed extraction to occur. Further, as noted by Applicant (see 12/28/07 page 9), Kelley column 4 lines 1-9, column 6 lines 1-8, and column 7 lines 16-25, disclose using JavaScript to build or generate an output screen. Further, see column 9 lines 40-45 for a description of displaying the customized web page. In order to generate such an output screen, the JavaScript must be loaded and executed. Also see column 7 lines 19-21, e.g. “subset of JavaScript code.” That is, Kelley partitions the scripted content to obtain only that which will match the search. Further, note that JavaScript code is not displayed directly. Rather, the code must be processed by a JavaScript compatible interpreter, which are typically found in web browsers.



In regard to claim 20, the above rejection of claim 16 is incorporated. Kelley further discloses: *further comprising another set of program instructions utilizable by the developer for writing program instructions that are executable by a processor with which to automatically navigate through the web page.* See column 6 lines 32-35.

9. Claim 21 is rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent Application Publication No. 2002/0143821 by Jakubowski (hereinafter “Jakubowski”).

In regard to claim 21, Jakubowski discloses:

*A Software Development Kit (SDK)* See page 7 paragraph [0049], e.g. "memory."

Note that this corresponds with the description of an SDK on page 10 lines 5-7 of the originally filed specification.

*comprising a first set of coding directives having program instructions embedded therein, wherein said programming instructions are executable by a processor which reference XPath query language.* See page 2 paragraph [0023], e.g. “XPath.”

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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11. Claims 1-3, 6-7, 13-14, 17, 25-26, 32, 34, 36, 39, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,209,007 to Kelley et al. (hereinafter "Kelley") in view of prior art of record "Effective Web data extraction with standard XML technologies" by Myllymaki ("Myllymaki").

In regard to claim 1, Kelley discloses:

*A storage medium comprising a Software Development Kit (SDK) having program components which are executable through a common application program interface* See column 4 lines 58-65, e.g. "program or software...may be stored in...media." Note that this corresponds with the description of an SDK on page 10 lines 5-7 of the originally filed specification. Also note that Kelley discloses generating a display from JavaScript code. An application program interface is required in order to call and execute JavaScript code as required by the JavaScript language specification.

*wherein the program components comprise:*

*a first program component having coding directives which are utilizable by a developer to write programming instructions that are executable by a processor for adaptively navigating through one or more websites;* See Fig. 3, element 102, e.g.

"Identify Levels." Also see column 6 lines 46-48:

When a web page presents another web page when an item is selected from the first web page, this represents one level in the web page hierarchy.

Also See column 6 lines 32-35:

Present an input form to the user where can identify the items to be searched that will appear on the new web page subset. The user is able to specify a complete Boolean

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search that will search all lines in the HTML source file and return those lines in a temporary file for examination by the user.

Note that the user, (i.e. developer) writes instructions which are presented against the coding directives inherently present in Kelley's system. If there were no components with "coding directives," the system would be unable to interpret or execute the user's instructions.

*and*

*one or more additional program components having coding directives which are utilizable by a developer to write programming instructions that are executable by a processor for: extracting scripted content, ... from the one or more websites including loading and executing the scripted content...* See Fig. 5, element 340, e.g. "Extract JavaScript Code." As noted above, "coding directives" are inherently present in order for the user directed extraction to occur. As noted by Applicant (see 12/28/07 page 9), Kelley column 4 lines 1-9, column 6 lines 1-8, and column 7 lines 16-25, disclose using JavaScript to build or generate an output screen. In order to generate such an output screen, the JavaScript must be loaded and executed.

*and storing the extracted scripted content at a target location.* See column 6 lines 63-64, e.g. "Store the new web page."

Kelley does not expressly disclose: *wherein the content is only visible when loaded and executed* as supported by pages 14-15 of the originally filed specification as discussed on page 9 filed 8/26/08. However, Myllymaki discloses extracting content wherein the content is only visible when loaded and executed. See at least the abstract, e.g. "deep Web." Also see page 639, 2<sup>nd</sup> full paragraph in the right column which

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describes the use of anchors for content extraction. Also see page 640, first column which describes extraction of hidden scripted content by way of analysis of HTML forms and JavaScript code. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kelley's content extraction with Myllymaki's hidden scripted content in order to access a large content of Web content that is otherwise unavailable as suggested by Myllymaki.

In regard to claim 2, the above rejection of claim 1 is incorporated. Kelley further discloses: *wherein the coding directives of the first program component are utilizable by a developer to write program instructions that are executable by a processor for conditionally navigating through the one or more websites.* See column 6 lines 32-35, e.g. "Boolean search."

In regard to claim 3, the above rejection of claim 1 is incorporated. Kelley further discloses: *wherein the coding directives of the first program component are utilizable by a developer to write program instructions executable by a processor for facilitating navigation through the one or more websites.* See column 6 lines 44-48, e.g. "Identify the levels."

In regard to claim 6, the above rejection of claim 1 is incorporated. Kelley further discloses: *wherein the coding directives of the one or more additional program components are further utilizable by a developer to write program instructions that are*

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*executable by a processor for standardizing the scripted and unscripted content. See column 6 lines 32-35, e.g. “return those lines.”*

In regard to claim 7, the above rejection of claim 1 is incorporated. Kelley further discloses: *wherein the coding directives of the one or more additional program components are further utilizable by a developer to write program instructions that are executable by a processor for generating a model of logical structure of the scripted and unscripted content. See Fig. 2, e.g. “Customized Web Page.”*

In regard to claim 13, the above rejection of claim 1 is incorporated. Kelley further discloses: *wherein the coding directives of the first program component are utilizable by a developer to write program instructions that are executable by a processor for accessing data other than what may be configured to be displayed on a browser as characterized by a structural layout of an accessed website. See column 4 lines 2-7, e.g. “javascript.”*

In regard to claim 14, the above rejection of claim 1 is incorporated. Kelley further discloses: *the coding directives of the one or more program components are further utilizable by a developer to write program instructions that are executable by a processor for posting data on the one or more websites. See column 6 lines 63-64, e.g. “Store the new web page.”*

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In regard to claim 17, the rejection of claim 16 found below is incorporated.

Kelley further discloses: *wherein the coding directives are utilizable by the developer for writing program instructions that are executable by a processor with which to convert web content of non- standardized format on the web page.* See column 6 lines 32-35, e.g. “return those lines.” Kelley does not expressly disclose: *into extensible markup language format.* However, Myllymaki teaches conversion to XML. See section 3.2 on page 638. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Myllymaki’s XML conversion with Kelley’s web content in order to help in subsequent data extraction as suggested by Myllymaki.

In regard to claim 25, Kelley discloses:

*A Software Development Kit (SDK) comprising program instructions executable using a processor* See column 4 lines 58-65, e.g. “program or software...may be stored in...media.” Note that this corresponds with the description of an SDK on page 10 lines 5-7 of the originally filed specification.

*for:*

*navigating through a website to access information;* See Fig. 5 element 300.

*parsing the accessed information into a model of logical structure;* See column 6 line 54, e.g. “Identify source HTML tags.” Note that this requires parsing in order to determine whether or not there is a tag. Further, HTML defines the model. Identification of tags proceeds to identify the HTML model.

*...parsed into the model of logical structure;* See Fig. 5, element 350, e.g. "Build New Code." Also column 7 lines 23-25. Note that JavaScript is "executed" *such that* new code is built, parsed, and searched. Further, as noted by Applicant (see 12/28/07 page 9), Kelley column 4 lines 1-9, column 6 lines 1-8, and column 7 lines 16-25, disclose using JavaScript to build or generate an output screen. In order to generate such an output screen, the JavaScript must be loaded and executed. Also see column 7 lines 19-21, e.g. "subset of JavaScript code." That is, Kelley partitions the scripted content to obtain only that which will match the search.

*searching for content, ... within the model of logical structure.* See column 7 lines 49-52, e.g. "search."

*extracting, independent of user intervention, the searched content from the one or more websites; and* See column 6 line 59, e.g. "results." Note that the presence of results indicates the occurrence of extraction.

*storing, independent of user intervention, the extracted content at a target location.* See column 6 lines 63-64, e.g. "Store the new web page."

Kelley does not expressly disclose: *loading and executing a scripting language embedded within the website such that results of the script execution can be parsed, and content, at least some of which is available but not displayed on said website.* However, Myllymaki discloses loading and executing embedded JavaScript and using the results for analysis of "hidden" content. See the abstract, e.g. "deep Web." Also see page 639, 2<sup>nd</sup> full paragraph in the right column which describes the use of anchors for content extraction. Also see page 640, first column which describes extraction of hidden scripted

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content by way of arbitrary JavaScript computation and analysis of HTML forms and JavaScript code which produces a model of logical structure. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kelley's content extraction with Myllymaki's hidden scripted content in order to access a large content of Web content that is otherwise unavailable as suggested by Myllymaki.

In regard to claim 26, the above rejection of claim 25 is incorporated. Kelley further discloses: *wherein the program instructions are further for accessing the website without a user interface.* See Fig. 3 and column 6 lines 49-52. Website is accessed, searched, and results saved without depending upon a user interface.

In regard to claim 32, the above rejection of claim 25 is incorporated. Kelley further discloses: *wherein the program instructions are further for posting data upon the website.* See Fig. 2. Note that display of the customized web page by web browser 30 requires the data to be "posted" on a website, otherwise the browser would not be able to access the data.

In regard to claim 34, the above rejection of claim 25 is incorporated. Kelley further discloses: *wherein the program instructions are for monitoring the status of the accessed information on the website, and for sending an alert upon detecting a change in the status of the accessed information.* See column 4 lines 19-23, also column 9 lines 30-31.



In regard to claim 36, Kelley discloses:

*A computer-implemented method of using a Software Development Kit (SDK) for obtaining a collection of information from one or more websites* See Figs. 3-8, also see column 4 lines 58-65, e.g. “program or software...may be stored in...media.” Note that this corresponds with the description of an SDK on page 10 lines 5-7 of the originally filed specification.,

*comprising:*

*accessing the one or more websites;* see column 6 lines 44-48, e.g. “web page hierarchy.”

*partitioning contents on the one or more websites into a model of logical structure;* see column 6 lines 30-32, e.g. “identify the items to be searched.”

...

*querying the model of logical structure for information of interest;* see column 6 lines 49-52, e.g. “search”

*automatically extracting, independent of user intervention, the information of interest from the one or more websites; automatically storing, independent of user intervention, the extracted information of interest to a target location.* See column 6 lines 63-64, e.g. “Store the new web page.”

*navigating one or more websites based, in part, on the extracted information of interest.* See Fig. 2 for a depiction of a customized web page containing information retrieved using the extracted information.

Kelley does not expressly disclose: *loading and executing a script embedded within the one or more websites such that results of the script execution can be parsed into the model of logical structure.* However, Myllymaki discloses loading and executing embedded JavaScript and using the results for analysis of "hidden" content. See the abstract, e.g. "deep Web." Also see page 639, 2<sup>nd</sup> full paragraph in the right column which describes the use of anchors for content extraction. Also see page 640, first column which describes extraction of hidden scripted content by way of arbitrary JavaScript computation and analysis of HTML forms and JavaScript code which produces a model of logical structure. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kelley's content extraction with Myllymaki's hidden scripted content in order to access a large content of Web content that is otherwise unavailable as suggested by Myllymaki.

In regard to claim 39, the above rejection of claim 36 is incorporated. Kelly further discloses: *posting data upon a website in response to the step of extracting the information of interest from the one or more websites.* See Fig. 2. The customized web page is extracted from multiple sources, posted, and then accessed by web browser 30.

In regard to claim 42, the above rejection of claim 36 is incorporated. Kelley further discloses: *monitoring the status of the contents on the one or more websites, and further comprising the steps of partitioning, querying, automatically extracting, and automatically storing upon detecting a change in the status of the contents on the one or*

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*more websites*. See column 4 lines 19-23, column 6 lines 63-64, and column 9 lines 4-5 and 30-31.

12. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelley and Myllymaki as applied to claim 3 above, and further in view of U.S. Patent Application Publication US 2004/0143567 A1 by Gross et al. (hereinafter “Gross”).

In regard to claim 4, the above rejection of claim 3 is incorporated. Kelley further discloses: *wherein the coding directives of the first program component are utilizable by the developer to selectively write the program instructions associated with facilitated navigation* See column 6 lines 44-48, e.g. “Identify the levels.” Kelley and Myllymaki do not expressly disclose: *for specific timeframes*. However, Gross teaches that specific timeframes regarding web pages may be searched. See paragraph [0013], e.g. “date.”. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Gross’ teaching of searching with Kelley’s navigation in order to provide efficient searching as suggested by Gross (see paragraph [0030]).

13. Claims 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelley and Myllymaki as applied to claims 1 and 16 above, and further in view of U.S. Patent No. 7,047,318 to Svedloff (hereinafter “Svedloff”).

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In regard to claim 11, the above rejection of claim 10 is incorporated. Kelley further discloses: *wherein the coding directives of the first program component are further utilizable by a developer to write program instructions that are executable by a processor for: recognizing a scripting language embedded within the one or more websites*; See Fig. 5, element 360. Kelley does not expressly disclose: *executing the embedded scripting language using said means*. However, Svedloff teaches executing a scripting language. See column 3 lines 20-21. It would have been obvious to one of ordinary skill at the time the invention was made, to use Svedloff's teaching of execution with Kelley's scripting language in order to manipulate requested content (see Svedloff column 3 lines 24-29).

In regard to claim 15, the above rejection of claim 1 is incorporated. Kelley does not expressly disclose: *wherein the coding directives of the first program component and the one or more additional program components are utilizable by a developer to write event driven program instructions*. However, Svedloff teaches using Java Server Pages for interactive web pages. See column 2 lines 21-23. It would have been obvious to one of ordinary skill at the time the invention was made, to use Svedloff's teaching of Java Server Pages with Kelley's components in order to provide interactive services.

14. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelley as applied to claim 16 above, and further in view of U.S. Patent No. 6,681,217 to Lewak (hereinafter "Lewak").

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In regard to claim 18, the above rejection of claim 16 is incorporated. Kelley teaches using a Boolean search to search for content (see Kelley column 6 lines 32-35). Kelley does not expressly disclose: *wherein the coding directives are utilizable by the developer for writing program instructions that are executable by a processor with which to standardize spaces within the web page content*. However, Lewak teaches using a Boolean search with regular expressions to search for spaces (see column 8 lines 54-55). It would have been obvious to one of ordinary skill at the time the invention was made, to use Lewak's teaching of spaces with Kelley's Boolean search in order to provide powerful searching (see Lewak column 2 lines 34-36).

15. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelley as applied to claim 16 above, and further in view of U.S. Patent No. 7,047,318 to Svedloff (hereinafter "Svedloff").

In regard to claim 19, the above rejection of claim 16 is incorporated. Kelley does not expressly disclose: *another set of coding directives utilizable by the developer for writing program instructions that are executable by a processor with which to: generate a model of logical structure of the content on the web page; and search the model of logical structure for information of interest*. However, Svedloff teaches that program instructions can be used to search for information within a model of logical structure. See column 8 lines 2- 7, e.g. "DOM." It would have been obvious to one of ordinary skill at the time the invention was made, to use Svedloff's model search with

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Kelley's program component in order to provide desired dynamic content in a web page (see Svedloff column 8 lines 6- 7).

16. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelley as applied to claim 36 above, and further in view of Jakubowski.

In regard to claim 37, the above rejection of claim 36 is incorporated. Kelley does not expressly disclose: *standardizing the contents on the one or more websites into a standard format prior to the step of partitioning*. However, Jakubowski teaches standardizing the content. See paragraph [0023], e.g. “template.” It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Jakubowski’s teaching of templates with Kelley’s search specification so a search may be customized according to the needs and limitations of a particular device and/or user (See Jakubowski paragraph [0008]).

### ***Conclusion***

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES RUTTEN whose telephone number is (571)272-3703. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. R./  
Examiner, Art Unit 2192

/Tuan Q. Dam/  
Supervisory Patent Examiner, Art Unit 2192

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